

MINUTE RECORD

A-2

No. 729 — RENOLO & COMPANY, INC. OMAHA E181055BLD

LA VISTA CITY COUNCIL MEETING August 15, 2017

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 7:00 p.m. on August 15, 2017. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk, Buethe, Police Chief Lausten, Director of Public Works Soucie, Director of Administrative Services Pokorny, City Engineer Kottmann, City Planner Solberg, Finance Director Miserez, Recreation Director Stopak and Library Director Barcal.

A notice of the meeting was given in advance thereof by publication in the Times on August 2, 2017. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

Mayor Kindig called the meeting to order, led the audience in the Pledge of Allegiance, and made the announcements.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE AUGUST 2, 2017 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE JULY 20, 2017 PLANNING COMMISSION MEETING
4. MONTHLY FINANCIAL REPORT — JUNE 2017
5. REQUEST FOR PAYMENT — BLADE MASTERS GROUNDS MAINTENANCE INC. — CONSTRUCTION SERVICES - \$135,001.09
6. REQUEST FOR PAYMENT — ANDERSON EXCAVATING CO. — CONSTRUCTION SERVICES - DEMOLITION & SITE PREPARATION — MIXED — USE REDEVELOPMENT PROJECT AREA - \$27,403.94
7. REQUEST FOR PAYMENT — UPSTREAM WEEDS — PROFESSIONAL SERVICES — STORMWATER OUTREACH - \$825.00
8. REQUEST FOR PAYMENT — LEAGUE OF NEBRASKA MUNICIPALITIES — MEMBERSHIP DUES - \$42,111.00
9. APPROVE MANAGER APPLICATION — CLASS D LIQUOR LICENSE — KWIK SHOP INC. DBA KWIK SHOP #664 — NICHOLAS WERNECKE
10. APPROVAL OF CLAIMS

AA WHEEL & TRUCK SUPPLY INC, maint.	\$84.53
ACCO UNLIMITED CORP, supplies	\$535.40
ACTION BATTERIES, supplies	\$391.70
APWA-AMER PUBLIC WORKS ASSN, services	\$50.00
A-RELIEF, services	\$414.00
AXON ENTERPRISE INC, supplies	\$1,065.23
BANK OF NEBRASKA, services	\$6,132.54
BLACK HILLS ENERGY, utilities	\$1,685.81
BOB'S RADIATOR REPAIR, maint.	\$58.00
BRADLEY MCCLAIN, refund	\$20.00
CENTER POINT PUBLISHING, books	\$273.84
CENTRAL STATES LEEDS INC, services	\$450.00
CENTURY LINK BUSN SVCS, phones	\$85.22
CENTURY LINK, phones	\$622.60
CITY OF OMAHA, services	\$178,373.26
CITY OF PAPIILLION, services	\$184,090.36
COMMONWEALTH ELECTRIC CO, services	\$4,050.00
COMP CHOICE INC, services	\$158.24
CONSOLIDATED MANAGEMENT, services	\$29.91

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CONTINENTAL RESEARCH CORP, supplies	\$426.00
CONTROL MASTERS INC, bld&grnds	\$797.00
CONVERGE ONE INC, maint.	\$1,605.00
COX COMMUNICATIONS, services	\$277.40
CULLIGAN OF OMAHA, services	\$12.00
D & K PRODUCTS, supplies	\$160.00
DAIKIN APPLIED, bld&grnds	\$1,018.16
DATASHIELD CORP, services	\$7.94
DEARBORN NATL LIFE INS CO, services	\$1,054.00
DELL MARKETING L.P., services	\$10,742.22
DIGITAL ALLY INC, services	\$7,040.00
DLR GROUP, services	\$2,142.50
DOG & PONY PRODUCTIONS, services	\$500.00
DUDLEY'S DEW RIGHT TREE & MULCH, services	\$9,800.00
DULTMEIER SALES & SERVICE, maint.	\$153.31
EDGEWEAR SCREEN PRINTING, services	\$867.35
FBG SERVICE CORP, services	\$5,965.00
FEDEX KINKO'S, services	\$105.30
FIRST NATIONAL BANK FREMONT, bonds	\$81,397.50
FITZGERALD SCHORR BARMETTLER, services	\$55,286.22
FLAGSHOOTER INC, supplies	\$180.70
FOCUS PRINTING, services	\$75.00
GENUINE PARTS CO, maint.	\$2,010.60
GRAYBAR ELECTRIC CO, bld&grnds	\$31.15
GREY HOUSE PUBLISHING, books	\$247.50
HANEY SHOE STORE, apparel	\$150.00
HOBBY LOBBY STORES, supplies	\$218.01
HONG'S ALTERATION & DRY CLEANING, services	\$40.00
HUNDEN STRATEGIC PARTNERS, services	\$4,656.25
HUNTEL COMMUNICATIONS, services	\$187.00
HUNZIKER, MARY, refund	\$95.30
HY-VEE INC, supplies	\$76.43
INGRAM LIBRARY SERVICES, books	\$113.74
J & J SMALL ENGINE, services	\$14.95
KRIHA FLUID POWER CO, maint.	\$128.09
LAMP RYNEARSON & ASSOCIATES, services	\$2,322.50
LARSEN SUPPLY CO, supplies	\$94.28
LOGAN CONTRACTORS SUPPLY, maint.	\$315.63
LOU'S SPORTING GOODS, supplies	\$60.00
LUEDERS LOCK & KEY INC, services	\$69.00
MAGIE MC COMBS, services	\$700.00
MAMA'S PIZZA, services	\$1,000.03
MANPOWER, services	\$1,391.54
MARK A KLINKER, services	\$200.00
MAX I WALKER UNIFORM, services	\$573.86
MENARDS, bld&grnds	\$151.74
METRO AREA TRANSIT, services	\$477.00
METRO COMM COLLEGE, services	\$19,508.68
MIDWEST TURF & IRRIGATION, supplies	\$31.38
MILLER PRESS, supplies	\$365.00
MONTPELIER GLOVE & SAFETY, supplies	\$71.70
MUD, utilities	\$6,943.04
MUNICIPAL PIPE TOOL, maint.	\$2,660.47
NAT'L EVERYTHING WHOLESALE, supplies	\$581.16
NCMA-NEBR CITY MGRS, services	\$100.00
NE DEPT OF REVENUE-LOTT, taxes	\$89,179.00
NE DEPT OF REVENUE-taxes	\$1,813.74
NE IOWA INDL FASTENERS, maint.	\$8.86
NE LAW ENFORCEMENT, services	\$230.00
NMC EXCHANGE LLC, maint.	\$272.70

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OFFICE DEPOT INC, supplies	\$1,049.63
OLSSON ASSOCIATES, services	\$5,045.64
OMAHA SLINGS INC, maint.	\$562.86
OMAHA WORLD-HERALD, services	\$5,396.62
OPPD, utilities	\$56,333.06
PAPILLION SANITATION, services	\$2,839.37
PAYLESS OFFICE PRODUCTS, supplies	\$575.92
PHAM, RACHEL THUY LINH, services	\$100.00
PITNEY BOWES, services	\$600.03
PLAINS EQUIPMENT GROUP, maint.	\$84.06
PROJECT LIFESAVER INTL, services	\$310.19
READY MIXED CONCRETE CO, maint.	\$364.13
SAPP BROS INC, maint.	\$118.00
SARPY COUNTY, services	\$16,468.69
SECURITY EQUIPMENT, services	\$242.00
SID DILLON, services	\$111,456.00
SOUTHERN UNIFORM, apparel	\$469.32
SPRINT, phones	\$119.97
SUCCESS ENTERPRISES, services	\$750.00
SWANK MOTION PICTURES INC, services	\$593.00
TED'S MOWER SALES, services	\$871.70
THOMPSON DREESSEN & DORNER, services	\$8,590.65
TOSHIBA FINANCIAL, services	\$138.00
TRACTOR SUPPLY, maint.	\$15.37
TRAF-SYS INC, services	\$720.00
TRANS UNION RISK, services	\$98.00
TRAVELERS, services	\$795.25
U.S. CELLULAR, phones	\$703.00
UNITE PRIVATE NETWORKS, services	\$3,850.00
UNITED PARCEL, services	\$21.77
UNITED RENT-ALL, services	\$768.98
VAL VERDE ANIMAL HOSPITAL, services	\$115.92
VALENTINO'S, services	\$528.23
VERNON CO, services	\$837.92
VOGEL TRAFFIC, services	\$8,565.60
WESTLAKE HARDWARE, bld&grnds	\$546.47
WICK'S STERLING TRUCKS, maint.	\$421.87

Councilmember Hale made a motion to approve the consent agenda. Seconded by Councilmember Frederick. Councilmember Sheehan reviewed the bills and stated everything was in order. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PRESENTATION – OPPD TRANSMISSION LINE RELOCATION

Todd McGlaucklin from OPPD provided a presentation of the OPPD Transmission Line Relocation Plan. They expect to get permits the first quarter of 2018 with construction beginning in 2nd Quarter 2018.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Library Director Barcal reported that for the Summer Reading program, the library held 56 programs in June and July, attracting 314 participants in the Children's Reading Program with 721 prizes awarded and 137 participants in the Adult Reading Program with 332 prizes awarded.

Police Chief Lausten gave a reported that the carbon monoxide detectors, which have been installed in each police vehicle. For the solar eclipse on August 21, the Nebraska State Patrol will be in different areas for increased traffic, etc. La Vista Police and the Fraternal Order of Police (FOP) have partnered to enter into the Pink Patch Program during the month of October. The FOP donated money for new shirts

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with the pink patch for officers. The motto is to "Scare away Cancer". Patches can be purchased for \$10. Councilmember Sheehan asked about recent car break-ins in the area. Chief Lausten advised the thefts reported are those where owners have not locked their car doors. Chief Lausten advises people to lock their car doors.

Director of Public Works Soucie reported that beginning on August 21 the playground structure at Val Verde Park will close for 4 to 5 weeks to replace the surfacing. The crew will be certified to work with the new product.

B. ORDINANCE -- AMEND SECTIONS 35.46, 35.47 AND 35.48 OF THE LA VISTA MUNICIPAL CODE

Councilmember Hale introduced Ordinance No. 1314 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTIONS 35.46, 35.47 AND 35.48 REGARDING BUDGETS; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title, discussion was held, and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1314 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

C. FISCAL YEARS 16/17 AND 17/18 BIENNIAL MUNICIPAL BUDGET

1. PUBLIC HEARING -- AMEND FY17/18 BIENNIAL BUDGET

At 7:22 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Fiscal Years 16/17 and 17/18 Biennial Municipal Budgets.

At 7:22 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

2. APPROPRIATIONS ORDINANCE -- SECOND READING

Councilmember Hale introduced Ordinance No. 1312 entitled: AN ORDINANCE TO APPROPRIATE THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2016 AND ENDING ON SEPTEMBER 30, 2017; AND FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2017 AND ENDING ON SEPTEMBER 30, 2018 SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE CERTIFICATION OF THE TAX LEVY HEREIN SENT TO THE COUNTY CLERK OF SARPY COUNTY; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

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Councilmember Crawford made a motion to approve Ordinance No. 1312 on its second reading and pass it on to final reading. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

3. MASTER FEE ORDINANCE – SECOND READING

Councilmember Hale introduced Ordinance No. 1313 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1311, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Sheehan made a motion to approve Ordinance No. 1313 on its second reading and pass it on to final reading. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

D. CONDITIONAL USE PERMIT – WELLS FARGO ATM – BRENTWOOD SQUARE

1. PUBLIC HEARING

At 7:26 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Conditional Use Permit for the Wells Fargo ATM at Brentwood Square.

At 7:26 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

2. RESOLUTION – CONDITIONAL USE PERMIT

Councilmember Hale introduced and moved for the adoption of Resolution No. 17-096 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR CENNOX – PROJECT AND SECURITY SOLUTIONS, TO ALLOW FOR AN AUTOMATED TELLER MACHINE (ATM) ON LOT 2A5, WILLOW BROOK.

WHEREAS, Cennox – Project and Security Solutions has applied for a Conditional Use Permit for to allow for an automated teller machine (ATM) on Lot 2A5, Willow Brook, located southwest of 84th and Brentwood Drive; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a Conditional Use Permit for such purposes,

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, for Cennox – Project and Security Solutions, to allow for an automated teller machine (ATM) on Lot 2A5, Willow Brook.

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Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

E. RESOLUTION – AWARD BID – HARRISON STREET PANEL REPAIR

Councilmember Hale introduced and moved for the adoption of Resolution No.17-097 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARING A CONTRACT TO SPENCER MANAGEMENT OF OMAHA NEBRASKA FOR THE REMOVAL AND REPLACEMENT OF DAMAGED CONCRETE PANELS ALONG HARRISON STREET, IN AN AMOUNT NOT TO EXCEED \$231,870.

WHEREAS, the City Council of the City of La Vista has determined removal and replacement of damaged concrete panels along eastbound Harrison Street from La Vista Drive to the Interstate 80 Right of Way is necessary; and

WHEREAS, the FY17/18 Biennial Budget provides funding in the Capital Improvement Program for the proposed project; and

WHEREAS, Bids were received from two (2) contractors, and

WHEREAS Spencer Management, Omaha, Nebraska has submitted the low, qualified bid, and

WHEREAS Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secures Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska award a contract to Spencer Management, Omaha, Nebraska removal and replacement of damaged concrete panels along Harrison Street in an amount not to exceed \$231,870.

Seconded by Councilmember Thomas. Councilmember Crawford asked how much work has this company done in the area and if we are comfortable working with them. City Engineer Kottmann stated they have done some SID projects in the area that he is aware of and he is comfortable working with this vendor. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

F. RESOLUTION – REJECT BIDS – PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT – PHASE 1 PAVEMENT & SEWERS

Councilmember Sell introduced and moved for the adoption of Resolution No.17-098 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA REJECTING THE BID RECEIVED FROM GRAHAM CONSTRUCTION INC. OF OMAHA NE FOR CONSTRUCTION OF PHASE 1 PAVEMENT AND SEWERS FOR THE PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT IN THE 84TH STREET REDEVELOPMENT AREA.

WHEREAS, the Mayor and Council have determined that rejection of the bid for pavement and sewer construction in the 84th street redevelopment area is necessary, and

WHEREAS, only one bid was received and the bid exceeded the Engineer's estimate by more than 37%; and

WHEREAS, the work will be rebid with adjustments to time frames where possible and adjustments to some of the design work to provide options where possible,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista Nebraska hereby reject the bid received from Graham Construction Inc. of Omaha NE for construction of phase 1 pavement and sewer for the public improvement redevelopment project in the 84th street redevelopment area.

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Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

G. RESOLUTION – SOFTWARE SERVICE AGREEMENT

Councilmember Quick introduced and moved for the adoption of Resolution No.17-099 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A 1-YEAR AGREEMENT WITH ENVISIO SOLUTIONS INC. IN AN AMOUNT NOT TO EXCEED \$14,000.

WHEREAS, The Mayor and City Council have determined that the implementation of the strategic plan and performance benchmarking is necessary; and

WHEREAS, Envisio Solutions Inc. will aide in this implementation; and

WHEREAS, The FY17 Lottery Fund Budget provides funding for this project; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any expenditure over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, do hereby authorize the execution of a 1-year agreement with Envisio Solutions, Inc. in form and content approved by the City Attorney and City Administrator, in an amount not to exceed \$14,000.

Seconded by Councilmember Thomas. Councilmember Sheehan asked if this would cause issues with the new financial software. City Administrator Gunn stated it would not. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

COMMENTS FROM THE FLOOR

There were no comments from the floor.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan inquired about functions in the new financial software on tracking projects.

At 7:34 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 5TH DAY OF SEPTEMBER, 2017.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk